

### REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Office Action dated January 15, 2002. In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Claims 1-9 are currently pending in this application. Claims 3-8 are withdrawn without prejudice or disclaimer, from consideration as a result of a Applicant's election to a restriction requirement. Claims 1, 2 and 9 are being amended to correct formal errors and to more particularly point out and distinctly claim the subject invention. In addition, new Claims 10 and 11 are hereby submitted for consideration. Further, the abstract is being replaced in its entirety to overcome the Examiner's objections. Applicant hereby submits that no new matter is being introduced into the application through the submission of this response.

### Information Disclosure Statement

Applicant has complied with Examiner's request to have an Information Disclosure Statement filed within one month of the date of the present Office Action. Applicant's Information Disclosure Statement dated February 12, 2002 comports with Examiner's request.

### Specification Objections

Examiner has objected to the abstract because of the form and the use of a reference to "means".

Applicant has replaced, in its entirety, the abstract in order to overcome Examiner's objections and to more clearly describe the present invention.

### Claim Rejections

Claim Rejections Pursuant to 35 U.S.C. §112, second paragraph:

Claims 1, 2 and 9 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as his invention. Examiner notes the use of several; "or" recitations, notes that line 11 of Claim 2 is grammatically vague, and notes the recitation of "for adjustment an inclined angle".

Applicant traverses these rejections and deems them overcome for at least the following reasons:

Applicant has amended, without prejudice or disclaimer, Claim 1, 2 and 9 to correct the objectionable word use.

Applicant respectfully asserts that the above 35 U.S.C. §112 second paragraph rejection has been overcome.

#### Claim Rejections Pursuant to 35 U.S.C. 102(e)

##### Claims 1 and 2

Claims 1 and stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,988,751 to Yoshida et al.

Applicant traverses these rejections, and deems them overcome, for at least the following reasons:

Applicant has amended Claims 1 and 2 to recite a limitation of the present invention not disclosed in Yoshida et al.

35 U.S.C. 102(e) recites:

A person shall be entitled to a patent unless --

- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Accordingly, MPEP 2131 states:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Amended Claims 1 and 2 recite, in part, among other features:

“...wherein a thrust member is coupled with a selected attachment member selected from the group consisting of said first attachment member secured to said first frame structure and said second attachment member secured to said second frame structure to assemble said selected attachment member as unit.”

Yoshida does not disclose, teach, or suggest including a thrust member coupled with a selected attachment member selected from the group consisting of said first attachment member secured to said first frame structure and said second attachment member secured to said second frame structure to assemble said selected attachment member as unit. Since Yoshida et al fails to teach the above mentioned claim limitation recited in amended Claims 1 and 2, Yoshida cannot anticipate amended Claims 1 and 2.

Consequently, Applicant traverses the 35 U.S.C. §102(e) rejections and deems them overcome. Applicant respectfully requests reconsideration of Claims 1 and 2 and asserts that independent Claims 1 and 2 are in a condition for allowance.

#### Allowable Subject Matter

Applicant appreciates the Examiner highlighting the allowable subject matter of the present Application in the Office Action dated 15 January, 2002. Examiner has rejected Claim 9 under 35 U.S.C. §112, second paragraph.

Applicant has amended Claim 9 to conform with 35 U.S.C. §112, second paragraph. Correspondingly, amended Claim 9 is now in a condition for allowance.

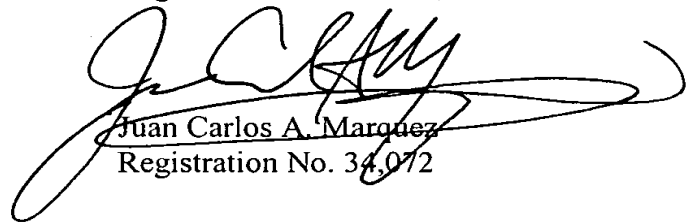
In view of all the above, Applicant respectfully submits that certain clear and distinct differences as discussed exist between the present invention as now claimed and the prior art references upon which the rejections in the Office Action rely. These differences are more than sufficient that the present invention as now claimed would not have been anticipated nor

rendered obvious given the prior art. Rather, the present invention as a whole is distinguishable, and thereby allowable over the prior art.

Favorable reconsideration of this application as amended is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicant's undersigned representative at the address and phone number indicated below.

Respectfully submitted,

Stanley P. Fisher  
Registration Number 24,344



Juan Carlos A. Marquez  
Registration No. 34,072

**REED SMITH LLP**  
3110 Fairview Park Drive  
Suite 1400  
Falls Church, Virginia 22042  
(703) 641-4200  
**July 12, 2002**

## **VERSION WITH MARKINGS TO SHOW CHANGES MADE**

### **IN THE SPECIFICATION**

Please amend the specification by replacing the appropriate sentences as set forth hereinbelow:

Page 7, second full paragraph, last sentence in paragraph should read as follows:

In addition, a connecting rod 23, shown in Figs. 1 and 2 is connected to the hinge pin 17 to operatively connect the reclining mechanism to another reclining mechanism mounted to the vehicle seat at its opposite side.

### **IN THE ABSTRACT**

Please delete the ABSTRACT in its entirety and replace with the following:

A reclining mechanism for a vehicle seat includes first and second attachment members coupled with each other at their outer peripheries and connected by a hinge pin, a slide pawl slidably mounted within one of the attachment members, and a cam element mounted on the hinge pin in a space between the attachment members. The cam element is engaged with the slide pawl to maintain engagement with the ratchet portion of the attachment member when the hinge pin is retained in a torsion spring load position. This construction permits relative rotation of the attachment members for adjustment of an inclined angle of a backrest. In the reclining mechanism, a thrust member is coupled with one of the attachment members and welded to a frame structure of the back rest allowing the device to be assembled as a unit.

### **IN THE CLAIMS**

Please amend Claims 1, 2 and 9 as follows:

1. (Amended) A reclining mechanism for a vehicle seat, comprising:  
a first attachment member mounted to a first frame structure of a seat cushion

[or a back rest] of [the] said vehicle seat;

a second attachment member mounted to a second frame structure of [the other of the] a back rest of said vehicle seat, [or the seat cushion, the] said attachment members being coupled with each other at [their] an outer periphery[ies] of said attachment members and connected by means of a hinge pin for relative rotation about [the] said hinge pin, and

cam means mounted on [the] said hinge pin in a space between said attachment members for restricting relative rotation of said attachment members when [the] said hinge pin is retained in position under load of a torsion spring assembled thereon and for permitting relative rotation of said attachment members for adjustment of an inclined angle of [the] said back rest when [the] said hinge pin is rotated against [the] said load of [the] said torsion spring;

wherein a thrust member is coupled with a selected attachment member selected from the group consisting of said first attachment member secured to said first frame structure and said second attachment member secured to said second frame structure to assemble said selected attachment member as unit. [either the frame structure of the seat cushion or the frame structure of the back rest has a support portion formed with an annular recess for engagement with the outer peripheries of said attachment members, and wherein said attachment members are assembled as a unit by engagement with the annular recess of the support portion of said frame structure at their outer peripheries.]

2. (Amended) A reclining mechanism for a vehicle seat, comprising:

a first attachment member mounted to a first frame structure of a seat cushion [or a back rest] of [the] said vehicle seat;

a second attachment member mounted to a second frame structure of [the other of the] a back rest of said vehicle seat, [or the seat cushion, the] said first and second attachment members being coupled with each other at [their] an outer periphery[ies] of said attachment members and connected by means of a hinge pin for relative rotation about [the] said hinge pin, and

cam means mounted on [the] said hinge pin in a space between said attachment members for restricting relative rotation of said attachment members when [the] said hinge pin is retained in position and for effecting relative rotation of said attachment

members for adjustment of an inclined angle of [the] said back rest when [the] said hinge pin is rotated;

wherein a thrust member is coupled with a selected attachment member selected from the group consisting of said first attachment member secured to said first frame structure and said second attachment member secured to said second frame structure to assemble said selected attachment member as unit. [either the frame structure of the seat cushion or the frame structure of the back rest has a support portion formed with an annular recess for engagement with the outer peripheries of said attachment members, and wherein said attachment members are assembled as a unit by engagement with the annular recess of the support portion of said frame structure at their outer peripheries.]

9. (Amended) A reclining mechanism for a vehicle seat, comprising:

a first attachment member mounted to a frame structure of a seat cushion [or a back rest] of [the] said vehicle seat;

a second attachment member mounted to a frame structure of [the other of the] a back rest of said vehicle seat, [or the seat cushion, the] said attachment members being coupled with each other at [their] an outer periphery[ies] of said attachment members and connected by means of a hinge pin for relative rotation about [the] said hinge pin[.];

a slide pawl slidably mounted within one of [the] said attachment members to be moved toward and away from a ratchet portion [form] on an inner periphery of [the other of the] a remaining attachment member; and

a cam element mounted on [the] said hinge pin in a space between said attachment members and being engaged with [the] said slide pawl for maintaining [the] said slide pawl in engagement with [the] said ratchet portion of [the] said attachment member when [the] said hinge pin is retained in position under load of a torsion spring assembled thereon and for disengaging [the] said slide pawl from [the] said ratchet portion [of the attachment member] when [the] said hinge pin is rotated against [the] said load of [the] said torsion spring;

wherein a thrust member is coupled with one of said attachment members and welded to [the] a frame structure selected from the group consisting of [the] said frame structure of said back rest [or] and said frame structure of said seat [the] cushion [seat] to assemble said attachment members at a unit.

Please add new Claims 10 and 11 as follows:

10. The reclining mechanism of Claim 1, wherein said first attachment member is an arm member for attachment to said first frame structure of said seat cushion, and wherein said second attachment member is a disk member coupled within said arm member.
11. The reclining mechanism of Claim 10, wherein said torsion spring is contained in a recessed portion formed in said arm member wherein said an inner end of said torsion spring is engaged with said hinge pin and an outer end of said torsion spring is engaged with an internal wall of said arm member.